

Serial No. 10/686,312
Docket No. 24044-205B

Examiner: A. Lai
Art Unit: 2636

REMARKS

This Amendment is being filed concurrently with a Request for Continued Examination. Claim 1 has been amended and new claim 18 has been added. Reconsideration and allowance of the above referenced patent application in view of the amendments made above and the remarks to follow is respectfully requested.

First, Applicant and the undersigned note with appreciation the suggestion by the Examiner in paragraph 5 of the Outstanding Office Action. While Applicant may at a later date amend the claims in accordance therewith, Applicant respectfully submits that the following remarks overcomes the present rejections of the claims.

Specifically, claims 1, 4-9 and 12-17 stand rejected under 35 U.S.C. §103 as being unpatentable in view of Kimura et al. (U.S. Patent No. 5,282,334), Dowling et al. (Pub. App. No. 2005/0036300) and Studer et al. (U.S. Pub. No. 2004/0200129). Applicant respectfully traverses these rejections. Specifically, Applicant respectfully submits that the descriptions of the referenced documents do not render the claims obvious.

For example, it is respectfully submitted that Studer et al. do not describe using a timer to maintain the duration that the consumable source is in use. The passages referenced in the office action merely refer to using a timer as a stimulus for selectively operating the light. Specifically, Studer et al. refer to use of "a timer, light detector, thermocouple, or motion detector for providing stimulus to a controller adapted to selectively operate the insect attractant (for example the light) or insect neutralizer." (See Page 1, Paragraph [0011]). Paragraph [0028], also referenced in the Office Action, further supports this conclusion by describing "a timer 51 and a controller 50, which may be adapted to control a status indicator 56 to show, for example, that maintenance is required. The timer 51 and controller 50 may also be used, for example, to operate the insect attractant 22 or the insect neutralizer 31 during certain times of day."

It is thus respectfully submitted that Studer et al. only describe the use of a timer for (i) acting as a means to cause the operation of the attractant or (ii) indicate generally, that maintenance is required. Most importantly, it is respectfully submitted that Studer et

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al. do not describe or suggest using the timer for maintaining the cumulative duration that the consumable source is in use, as claimed. Support for this amendment can be found in the specification, for example, at page 6, lines 24-25, which disclosure that the timers can maintain a "running time of how long the consumable sources are (or have been) in use."

Thus, it is respectfully submitted that Studer et al. do not describe or suggest using a timer in a manner that is claimed. In particular, Studer et al. do not describe or suggest a timer to maintain the cumulative duration that the consumable source is in use as recited in independent claim 1.

Dowling et al., as best understood, only describes an effectiveness indicator and therefore, fails to describe the claimed feature of a *timer that maintains the cumulative duration that the consumable source is in use or an operational indicator for indicating when the consumable source is in use* as recited in independent claims 1 and 9.

Lastly, Kimura et al. is respectfully submitted to be likewise deficient in that Kimura et al. merely describes timers respectively associated with an hour clock (which operates the length of time that a heater will operate) and a fan. As described at column 3, lines 43-46, each of the timing elements may include a light which shows that the timer is in operation. Thus, it is respectfully submitted that Kimura is deficient as to any description or suggestion of a consumable source, and in particular, does not describe or suggest a *timer that maintains the cumulative duration that a consumable source is in use or an operational indicator for indicating when the consumable source is in use* as recited in independent claims 1 and 9.

Based on the foregoing, it is respectfully submitted that the cited art only describes a collection of features, none of which, when taken alone or together, describe or suggest that which is claimed in claim 1 (namely, a timer for maintaining the cumulative duration that the consumable source is in use and an operational indicator for indicating when the consumable source is in use) or that which is claimed in independent claim 9 (an indicator for indicating an effectiveness of the at least one consumable source in combination with an operational indicator for indicating when the consumable source is in use).

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In summary, Applicant respectfully submits that the collection of cited art at best describes or suggests (i) the use of a timer to initiate operation of the attractant or to initiate a maintenance call/operation (Studer et al); (ii) a device that can alert to the effectiveness of a consumable source (Dowling et al) and (iii) a device that indicates when a heater or fan (e.g. non consumable sources, and more importantly, not a source that is decreasing in effectiveness over time) is in operation. Thus, it is respectfully submitted that the combination of descriptions or suggestions in the cited art do not render the claimed invention obvious, and notice to this effect is respectfully requested.

For all of these reasons it is believed that claims 1, 4-9, and 12-17 are allowable over the prior art of record and reconsideration and withdrawal of the rejections of all of the claims is respectfully requested. In particular, it is respectfully submitted that the dependent claims are allowable for the reasons noted above with respect to the independent claims. New claim 18 is respectfully submitted to be allowable over the cited art as the cited art in no way describes or suggests the combination of features when applied to a hand dryer as claimed.

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CONCLUSION

Applicant believes that the foregoing is a full and complete response to the Office Action of record. Accordingly, an early and favorable reconsideration of the rejection of all of the claims is requested. Applicant believes that claims 1, 4-9, and 12-18 are now in condition for allowance and an indication of allowability and an early Notice of Allowance of all of the claims is respectfully requested.

If Examiner feels that a telephonic interview would be helpful, it is respectfully requested that the undersigned be telephoned at (203) 575-2629 prior to the issuance of the next office action.

Respectfully submitted,



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